

CHAPTER IX (SEPARATIONS)

PR- 901 Resignation

- A.** General. An employee may terminate employment with the County Government by submitting a written resignation to the agency head at least ten working days prior to the effective date of the resignation. Unless the Human Resources Department determines that the employee had good cause for not giving such notice, an employee who fails to give such notice shall not be eligible for reinstatement.
- B.** Oral resignation. If an employee resigns orally, the agency head shall confirm the resignation in writing.
- C.** Refusal of resignation. An agency head may refuse to accept a resignation and dismiss an employee pursuant to PR-801.
- D.** Withdrawal of resignation. A resignation may be withdrawn only in writing by personal delivery to the agency head not later than the end of the next working day after the employee gives notice of resignation. If a withdrawal is not submitted by this time, the resignation shall be final unless both the agency head and the employee agree, in writing, that the resignation may be withdrawn.
- F.** If an employee is absent for more than 3 working days without contacting the department head or elected official, the employee may be dismissed pursuant to PR-802.A, and will not be eligible for reinstatement.

**Historical Note: Adopted, Eff. 11/25/1994
Amended 11/04/2002**

PR-902 Reduction in Force

- A.** General.
 - 1. An agency head shall request approval from the Board of Supervisors to conduct a reduction in force indicating the reason for the reduction, and effective date of the reduction. Any personnel action which would have an effect on the reduction in force shall not be approved after the date of the agency head's request.
 - 2. The request shall be submitted not less than 30 working days prior to the proposed effective date of the reduction in force.

CHAPTER IX (SEPARATIONS)

3. If the reduction in force results from the abolition of a filled position, the agency may not re-establish the position for two years, unless the abolition of the position was due to fiscal constraints, legislative action, or court order.
 4. When a program is abolished or an agency permanently terminates operation, so that the phasing out of operations occurs over a period of not less than three months, the Human Resources Department, in consultation with the agency head, board, or commission considering reduction in force activity, shall develop and communicate to affected employees appropriate alternative reduction in force procedures to permit staggered phase-out and transfer, reduction, or separation of personnel as appropriate.
 5. Subject to work requirements, each agency head shall allow employees affected by a reduction in force to be released from work with pay to attend county job interviews.
- B. Administration.** Except as provided in subsection (A), paragraph (4) above, a reduction in force shall be administered by the Human Resources Department in the following manner:
1. Employees other than regular status employees in the class series affected by the reduction in force shall be separated in the order listed below before any reduction in force action is taken affecting regular status employees, providing the separation of these employees will accomplish, or assist in accomplishing, the purpose of the reduction in force:
 - a. Emergency employees.
 - b. Provisional employees.
 - c. Clerical pool employees.
 - d. Temporary employees.
 - e. Seasonal employees.
 - f. Original probationary employees.
 2. Retention points shall be used to identify regular status employees for transfer, reduction, or separation based on the employee's relative standing on the retention list. Identification of employees to be considered first for transfer, reduction, or separation shall begin with the employee with the lowest number of retention points.
 3. Retention points will be based upon length of service in County Government and performance. Retention points shall be calculated in accordance with the instructions in subsections (C), (D), and (E). Service in positions which

CHAPTER IX (SEPARATIONS)

became covered in accordance with Chapter 4, title 41, A.R.S. (formerly Chapter 6, title 38, A.R.S.), shall be considered County Government.

4. Limited appointment employees shall compete for retention only against other limited appointment employees.
5. Employees on promotional probation or detail to special duty shall compete for retention only in the class in which regular status is held.
6. A position which is underfilled shall be considered vacant at the allocated level.
7. Regular part-time employees shall compete for retention only against other regular part-time employees.

C. Calculation of retention points for length of service.

1. Each regular status employee shall be awarded one retention point for each month of County Government service, provided the employee has been in a pay status for at least one-half of the employee's working days in that month.
2. Periods of service as a County Government employee prior to a separation shall not be counted except when the separation was of less than two years' duration, and the separation was not the result of disciplinary action.
3. Periods of County Government service as a provisional, seasonal, temporary, limited, or clerical pool employee which are credited toward satisfying a subsequent original probationary requirement shall be counted.
4. Periods of military leave with or without pay shall be counted.
5. Periods of service on mobility assignment shall be counted.
6. Prior service in a position which is transferred to County Government by legislative action or otherwise from a budget unit of the County shall be counted.

D. Calculation of retention points for performance. The most recent performance evaluation, in the class held by an employee in regular status, and concluded prior to the date of request for the reduction in force, shall be used in determining retention points. Any grievance on the most recent performance evaluation shall

CHAPTER IX (SEPARATIONS)

be resolved by the agency head prior to computing retention points. If an employee has not had a performance evaluation in the past 12 months, the employee shall be awarded 12 retention points. Retention points for performance shall be awarded as follows:

1. Each employee having a current overall performance evaluation of "Exceeds Expectations" shall be awarded 36 retention points.
2. Each employee having a current overall performance evaluation of "Meets Expectations" shall be awarded 24 retention points.
3. Each employee having a current overall performance evaluation of "Needs Improvement" shall not be awarded any retention points, and the employee shall be placed at the bottom of retention lists.

E. Resolution of ties. Ties in total retention points shall be broken in the following manner and order:

1. Employees shall be awarded one point for each full calendar month of County Government in a pay status in the class affected by the reduction in force.
2. If a tie continues to exist, the tie shall be broken by the employee with the highest overall performance evaluation in the class permanently held by the employee.
3. If a tie continues to exist, the tie shall be broken by the employee with the earlier County Government hire date.
4. If a tie continues to exist, it shall be broken by lot.

F. Offer of position.

1. Provided the employee possesses the required minimum qualifications for the class, an employee who is identified for transfer or reduction shall be made the single best offer, in terms of pay grade, within the agency of:
 - a. A position at the same pay grade or lower in the same class series as the employee's present regular status position; or
 - b. A position at the same pay grade or lower in a class series in which the employee has previously held regular status. If that position is in

CHAPTER IX (SEPARATIONS)

a class which has been re-titled or re-graded without a major change in duties, that position may be offered to the employee.

- c. If an employee can be made equal offers under the provisions of subparagraphs (a) and (b) above, the position covered by subparagraph (a) will be offered.
2. In lieu of accepting a regular position at a lower grade, an employee shall be given the option of accepting:
 - a. A vacant position at the employee's present pay grade for which the employee meets the minimum qualifications in a class series in which the employee has never held regular status; or
 - b. A limited, seasonal, temporary, clerical pool, or part-time position at the employee's present pay grade for which the employee meets the minimum qualifications.
3. Employees must meet the required minimum qualifications and job-related selective requirements, if any, to be considered for a position. These selective requirements shall normally have been required when the position was last filled.
4. The agency shall give written notice at least 15 working days in advance to each employee to be transferred, reduced, or separated. If circumstances beyond the agency's control do not permit at least 15 working days' notice, the agency shall provide notice as soon as it is aware of the necessity to transfer, reduce, or separate the employee.
5. The notice shall include, as a minimum, the reason for and effective date of the action, the job offer, if any, to include the salary, location of the position, and supervisor's name, the availability of reduction in force procedures and records for review, the employee's right to request a review of the action, and the employee's re-employment rights, if applicable. Any job offer shall contain a time limitation of not less than five (5) working days in which the employee may accept the offer. Failure of an employee to reply in writing within the stated time limitation, or failure to accept a job offer, shall constitute a resignation.

G. Employee request for review.

1. Within five (5) working days of receipt of a reduction in force notice, an

CHAPTER IX (SEPARATIONS)

employee may submit in writing a request to the agency head for a review of the procedure resulting in the employee's transfer, reduction, or separation due to a reduction in force. The request must contain specific information concerning the error involved and a proposed resolution of the problem. The agency head shall review and respond to the employee within five (5) working days after receipt of the request.

2. An employee who wishes further review may submit a written request to the Human Resources Department within five (5) working days after receipt of the agency head's response. The Human Resources Department shall investigate and respond to the employee and the agency head with the final decision on the review within five (5) working days of receipt of the employee's request.
3. The Human Resources Department may postpone any portion of the reduction in force until the review requested by the employee has been completed.

Historical Note: Adopted, Eff. 11/25/1994